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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

| | | |
|---------------------------|---|-------------------------------------|
| UNITED STATES OF AMERICA, |) | No. CR 12-00076-EMC |
| |) | |
| Plaintiff, |) | [PROPOSED] ORDER AND |
| |) | STIPULATION EXCLUDING TIME |
| v. |) | FROM APRIL 4, 2012, TO MAY 9, 2012, |
| |) | FROM THE SPEEDY TRIAL ACT |
| DELFINO RIVERA-MORA, |) | CALCULATION (18 U.S.C. |
| |) | § 3161(h)(7)(A)) |
| Defendant. |) | |

On April 4, 2012, the parties appeared before the Court for a status conference. At the status conference, defense counsel requested additional time to review discovery in the case. The Court set the matter for a status conference on May 9, 2012.

With the agreement of the parties, and with the consent of the defendant, the Court enters this order documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, from April 4, 2012, through May 9, 2012.

The parties agree, and the Court finds and holds, as follows:

1. The defendant agrees to an exclusion of time under the Speedy Trial Act from April 4, 2012, through May 9, 2012, based upon the need for effective preparation of counsel and to provide the defendant an opportunity to continue discovery review. The defendant agrees to

1 this exclusion on the condition that his right to bring motions claiming Speedy Trial Act
2 violations prior to April 4, 2012, shall remain preserved.

3 2. Counsel for the defense believes that the exclusion of time is in his client's best
4 interest.

5 3. Given these circumstances, the Court finds that the ends of justice served by excluding
6 the period from April 4, 2012, through May 9, 2012, outweigh the best interest of the public and
7 the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

8 4. Accordingly, and with the consent of the defendant, the Court orders that the period
9 from April 4, 2012, through May 9, 2012, shall be excluded from Speedy Trial Act calculations
10 under 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

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12 IT IS SO STIPULATED:

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14 DATED: April 30, 2012

_____/s
ARTURO HERNANDEZ
Attorney for Defendant

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16
17 DATED: April 30, 2012

_____/s
AARON D. WEGNER
Assistant United States Attorney

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20 IT IS SO ORDERED.

21 DATED: May 1, 2012

